

Charles Carroll ag^t Elizabeth Blackiston

And the s^d Elizabeth Blackiston by W^m Dent her Attorney comes into Court and prays time till the next Court to make answer hereunto and it is granted unto her the Same day is given to the p^{lt} alsoe.

Now here at this day to wit the Second day of March Anno Dom: 1694 Came the s^d parties by their Attorneys and this Cause Standing for Tryall and the Record process and proceedings for the rendering of Judgm^t and the afores^d Errors by the s^d Charles Carroll assigned being Read heard and by the Justices here fully understood and diligently examined and for that it appeareth to the Same Justices here that in the Record and proceedings afores^d as alsoe in the rendring of Judgm^t afores^d it is manifestly Erronious.

Therefore it is Considered by the Justices here that the Judgm^t afores^d for the Errors in the Record and process afores^d be Revoked Annulled and altogether held for nothing and that the s^d Charles Carroll unto all things which by occasion of the Judgm^t afores^d he hath lost be restored and that the s^d Charles Carroll recover ag^t the s^d Eliz: Blackiston the Summ of Two Thousand Six hundred Eighty Eight pounds of Tob^o Cost of Suit in that behalf laid out and expended etc:

Cop: per Henry Wriothlesley C^{lk}:

[locus Sigill.]

Blackiston Qui tam ag^t Carroll etc:

Errors assigned upon a Judgm^t of the provth Court in a Writ of Error there brought from a Judgm^t of a Court of Oyer and Terminer between Nehemiah Blackiston who as well etc: p^{lt}: and Charles Carroll Defend^t In which provth Court Judgement was given that in the Records and proceedings and also in the Rendering of Judgm^t of the Court of Oyer and Terminer there was manifest Error and therefore by the Judgm^t of the Provinciaill Court the s^d Judgm^t was Set aside and reversed Whereupon the s^d Elizabeth Blackiston Adm^r of the s^d Nchemiah who as well etc: Avoucheth the Judgm^t of the s^d Court of Oyer and Terminer to be Just Legall and Agreeable to Law and Saith that in the Record and proceedings and rendering of Judgm^t of reversing and making void the First Judgm^t of the Court of Oyer and Terminer there is Manifest Error in the Justices of the Provth Court because

1st The First Error Assign'd grounded upon the Statute of Westminster the 2^d and upon which Error and the Argum^t thereon the First Judgm^t was revers^d is not Sufficent to reverss the s^d Judgm^t Nor is the law upon the s^d Statute (reguarding the Constitution of this Province) as the s^d Provth Court have adjudged the Same therein but their Judgm^t therein [57] is Erronious and ag^t Law.

2: Nor are any or all the other Reasons alleadged for reversing the First Judgm^t of the Court of Oyer and Terminer Sufficent to reverse the Same and